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Committee on the Elimination of Discrimination against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial and second periodic reports of States parties

Addendum

ZAMBIA *

* For the combined initial and second periodic report submitted by the Government of Zambia, see CEDAW/C/ZAM/1-2. This report has not been edited.

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1. The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is part of the international institution's activities aimed at promoting the fundamental rights of human beings. The Convention was adopted and opened to signature, ratification and accession by the United Nations General Assembly in resolution 34/180 of December 1979. The Zambian government acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 1st February, 1985.

2. In accordance with article 18 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, which provides for state parties to submit reports on legislative, judicial, administrative or other measures adopted to give effect to the provisions of the Convention and on the progress made, Zambia submits her combined initial and second periodic report.

COUNTRY CONTEXT

Background

3. Zambia is a landlocked country situated in the Southern part of Africa south of the equator. It shares borders with eight countries: Malawi to the east, Zaire to the north, Tanzania to the north east, Angola to the north west, Mozambique to the south east, Zimbabwe to the south, Botswana and Namibia to the south west. Zambia covers an area of 752,614 square kilometres and has a tropical climate with three distinct seasons, a warm and wet season stretching from November to April, a cool dry season from May to August and a hot dry season covering September and October. The country's vegetation may broadly be classified as savannah woodlands which consists of various trees, tall grass, shrubs, herbs and other woodlands mainly of the deciduous type.

4. Administratively Zambia is divided into nine provinces and 57 districts. The country has 73 ethnic groups and seven major tribal groupings namely: Bemba, Tonga, Lunda, Kaonde, Lozi, Luvale and Nyanja. The country's official language is English. Bemba and Nyanja are the common languages spoken in the two major urban areas, Copperbelt and Lusaka respectively. The rest of the country uses languages specific to their ethnic group and/or locality.

5. Politically Zambia has passed through three different systems of Government since political independence from Britain in 1964. For the first eight years following independence (1964-1972) Zambia had a multiparty system of government. This was followed by a one party participatory democracy until 1990. In 1990 Zambia reverted back to the multiparty system through an act of parliament and in 1991 the second era of the multiparty system of government began.

6. Zambia is a predominantly Christian country. The majority of the people are protestants, namely the Anglicans, the Watchtowers and other churches falling under the United Churches of Zambia. A relatively big proportion are Catholics.

Demographic profile

7. Zambia's population has been increasing rapidly over the past three decades. The country has carried out four National Censuses since 1963. The first census was conducted in 1963 and the total population was 3.41 million. A second national census was carried out in 1969 and the total population was 4.06 million. The 1980 census of population and housing reported a total population of 5.66 million. The last national Census was carried out in August 1990 and preliminary results indicate that Zambia's population, as of August 1990, was 7.82 million. Table 1 shows Zambia's population trends for the total and for men and women since 1921.

8. Table 1 shows that the rate of growth of the population has been increasing over time. Between 1963 and 1969 the rate of growth was 2.6 per cent per annum. This increased to 3.1 per cent per annum in the 1969-1980 period and to 3.2 per cent per annum in the 1980-1990 intercensal periods.

9. The Zambian population is extremely youthful. The population aged less than 15 years increased from 46 per cent to 51 per cent between 1969 and 1980 for both men and women (see table 2). This youthful population has implications for both fertility and labour force such as a higher momentum for population growth and increased number of entrants to the labour force. Zambia's population structure means that the momentum for future population growth is high even if fertility rates decline in the immediate future and that more people will be entering the labour force every year.

TABLE 1 *Population trends in ('000)*

YEAR	WOMEN	MEN	TOTAL
1921*	-	-	980
1931*	-	-	1340
1946*	-	-	1680
1956*	-	-	2850
1963	1720	1690	3410
1969	2070	1990	4090
1980	2890	2770	5660
1990	3980	3840	7820

Source: Census of 1969, 1980 and 1990 (CSO, Lusaka).
* Census of Africans 1963

TABLE 2 *Per cent distribution of population by age group*

AGE GROUP	1969		1980		1990	
	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN
0-14	45	47	49	50	48	50
15-49	52	50	49	47	50	48
65+	3	3	2	3	2	2
Total ('000)	2070	1990	2890	2770	3980	3840

Source: Census of 1969, 1980 and 1990 (CSO, Lusaka).

TABLE 3 *Population distribution by area and sex for 1980 and 1990*

	1980		1990	
	MEN	WOMEN	MEN	WOMEN
RURAL	1626 58 (%)	1777 61 (%)	2197 57 (%)	2335 59(%)
URBAN	1144 42 (%)	1114 39 (%)	1646 43 (%)	1639 41 (%)

Source: 1980, 1990 Censuses (CSO, Lusaka)
Population figures in ('000)

10. Population density at the national level has been increasing steadily from 5.3 in 1969, 7.5 in 1980 to 10.4 persons per square kilometre in 1990. There are big differences in the density of population between rural and urban areas. The most urbanized cities like the capital Lusaka has 2728.8 persons per square kilometre while the most rural districts like Mfumbwe has 1.1 persons per square kilometre.

11. Zambia is one of the most urbanized countries in Africa. The perfect distribution of population by area of residence and sex is shown in table 3. Preliminary results of the 1990 Census show that, out of a total population of 7.82 million people, 3.3 million live in urban areas. This represents an increase from the previous census. The increase may largely be attributed to rural-urban migration and relatively high fertility rates in urban areas. The per cent of women is lower in urban areas compared to that of men because many young men migrate to urban areas than women.

12. Zambia's population has been urbanizing at a very fast rate. Twenty per cent of the total population lived in urban areas in 1963. This figure rose to 30% in 1969 and 40% in 1980. The percentage of women living in urban areas is lower to that of men. Most of this urbanized population live along the *'line of rail'* which stretches from Livingstone in Southern Zambia to Chililabombwe in the copperbelt. Zambia's rural population is sparsely distributed. Unequal regional economic development and limited and unequal distribution of arable land may have contributed to this pattern of settlement.

Status of Women

13. Historical and cultural factors have combined to bring about the current disadvantaged position of women and this phenomena has played a part in reducing the full realization of the United Nations Decade for Women in Zambia. The Zambian government has always considered the active participation of women in the affairs of the nation as a crucial element. When the 1976-1985 was proclaimed the United Nations Decade for Women, the government appointed the Women's League as the national machinery responsible for coordinating women's activities in the field of equality, development and peace. Overtime units were set up in line ministries to coordinate women in development issues.

Socio Economic Situation

14. Zambia's economy has depended almost exclusively on the mining industry. Until recently the main emphasis in Zambia's economy was on copper revenues. Several years after political independence in 1964, copper prices on the world market were high, local production was equally high and the economy was very buoyant. The government was able to embark on various programmes aimed at both redressing the socio economic imbalances created by the colonial political and economic legacy and accelerating improvements in the national economic base and in the quality of life of the people.

15. Emphasis was placed on the development of new infrastructure such as transportation, roads, railway, communication and energy. In the social sector substantial investment outlays were made to expand education at all levels. Most social services and investment infrastructure were highly subsidized by the government. These programmes led to substantial and positive changes in the standard of living of the people especially those in the urban areas. Table 4 shows the trend in Zambia's Gross Domestic Product in Zambia kwacha since 1988.

TABLE 4 *Gross domestic product and per capita GDP in (kwacha'million)*

	1988	1989	1990	1991
GDP and per capital GDP*	2247.1 298.4	2224.2 285.2	2213.6 283.1	2174.1 271.1
GDP and per capital GDP**	30,021 3,986.8	60,025 7,695.4	113,341 14,493.7	203,920 25426.4

* At constant 1977 prices.
** At current prices.

Source: Selected Socio economic indicators, 1992 (CSO, Lusaka)

Establishment of Women's Affairs Desks in Ministries

16. The government has established a Women's Affairs Desks in all government Ministries to attend to women's issues and programmes and ensure that they were particularly and promptly given due attention. To this end such Desks are to be manned by officers of not lower than Assistant Secretary in rank. At that level, consultation and coordination with the Women in Development Unit at the NCDP will be facilitated and consolidated.

Women in Development Department in the NCDP

17. This department at the National Commission for the Development Planning (NCDP) coordinates Women's programmes with other Government Ministries and Departments. A sum of US $ 1 million was offered by the Swedish and Norwegian Government for that purpose.

Article 1-3

These are measures aimed at eliminating discrimination and ensuring full equality of women and men.

18. In Article 23 of the 1991 constitution of Zambia, the expression discrimination is defined as, *'Affording different treatment, to different persons attributable, wholly or in mainly to their respective descriptions by race, tribe, sex, place of origin, marital status, political opinions, colour or creed whereby persons of such description are subjected to disabilities or restrictions to which persons of another such description or are not accorded to persons of another description.'*

19. This definition of discrimination in this constitution adopted last year applies to both men and women. Although women are not specifically mentioned, the definition is however very wide.

20. Article 2 calls for the state parties to condemn discrimination in all its forms and to agree to pursue a policy of eliminating discrimination against women by legislative and other means.

21. Zambia has moved in this direction by including this principle in Article 23 of its constitution. Another illustration of this political will is the fact that the ruling party in its manifesto has pledged to continue fighting for the uplifting of the status of Zambian women. It has recognized the specific oppression which the women have continued to suffer and insists it will promote full and equal rights of widowed women and protect their rights to take care of their orphaned children.

22. Article 3 provides for appropriate ways to ensure the full development and advancement of women in order that they may arrive at equality with men.

23. Definition of these ways and means may be found in the constitution already referred to.

Article 4

Deals with the adoption of temporary special measures aimed at accelerating de facto equality between women and men.

24. This is reflected in the deliberate attempt the government is making in encouraging more girls to take up technical subjects such as science and mathematics. The lower cut-off marks for girls is another case in point and another effort to have more educated women and hence improve their status and their self esteem

25. Women can now obtain credit without the consent of their husbands and Non-Government Organizations have set up credit schemes where loans to women clients are 100 per cent guaranteed.

Article 5

Deals with measures to modify social and cultural patterns of conduct that are based on the idea of the inferiority of either of the sexes.

26. This is concerned with the need to counter the influence of customs that have weighed heavily on the status of women in Zambia e.g. the payment of bride price. This is still prevalent in most parts of the country especially in marriages contracted under the customary law. This practice subjugates women and affects their status as they are considered as their husband's

property once they are paid for. However public debates are being encouraged in the media which are slowly making people realise that payment of bride price contributes to the precarious situation of women.

27. It is hoped that the unification of customary and statutory law which is receiving attention will finally eliminate such practices as bride price and replace them with positive law.

Article 5

Prescribes measures including legislation to suppress all forms of traffic in women and the exploitation of prostitution of women.

28. There are no cases of trafficking in Zambia although the practice of prostitution does exists especially now because of the current economic crisis. Prostitution has become very widespread but it is illegal and those found are usually picked up from the streets and bundled into the police stations where they are fined and thereafter released.

29. Unfortunately only women are taken to police stations while their male customers are left scott free. Several Non-governmental Organizations have set up projects to encourage those engaged in prostitution into income-generating programmes. This is as a result of the realisation that most prostitutes are in the trade for economic necessity.

30. Article 14 of the Constitution of Zambia says no person shall be held in slavery or servitude and no such activities take place.

Article 7

Requires governments to take all appropriate measures to eliminate discrimination against women in politics or political life.

31. The women of Zambia have participated actively in the political life of the country right from the time before independence. They contributed to the struggle for the liberation of the country from colonial rule.

32. Last year they actively voted for a new democratic government which ushered in a multi-party system of government after 19 years of one party rule.

33. Women have the right to vote in all elections and they have exercised their voting rights more than men. But although they constitute the majority of voters their numbers in the political hierarchy are very limited. For example, women's participation in politics in terms of their representation in Parliament is negligible. Out of 150 members of Parliament only 9 are females. Similarly women are under represented in political decision making positions. Only one woman is in the Cabinet, 3 Ambassadors and 4 Deputy Ministers.

34. Crucial issues for the participation of women in politics include a political system that is open to both men and women on an equal footing. Hopefully this is now in place.

35. Literacy and education are very important as well as leadership training for women to give them more confidence to participate.

36. There is no problem in Zambia as regards the participation of women in associations and non-governmental organizations. In fact women are the pillars of these organizations and this is guaranteed by the constitution which allows free association for all.

Article 8

Emphasizes equal opportunities for women to serve as representatives of their country and as participants in the work of international organizations.

37. In this regard, Zambia has no distinction between sexes in the training of diplomats. But because of of their low numbers only 3 women are at ambassadorial level. However all the country's foreign missions although not necessarily headed by women include women on their staff.

Article 9

Deals with the obligation to grant women equal right to acquire, change or retain nationality.

38. Article 23 of the Zambian Constitution prohibits all forms of discrimination on the grounds of sex. Equality of men and women is realized in their enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural, civic or any other field.

39. Zambian law recognizes equality between men and women in regard to their legal capacity. It states that children born of Zambian women are Zambians just like the children born of Zambian men.

Article 10

Education

40. Zambia's progress in the field of education has been tremendous. Zambia's education system is a three tier system. It begins with seven years of primary school, followed by a five year secondary system. The secondary system is divided into two, grades 8-9 and grades 10 through 12. At grade 12 students write their ordinary level examination which allows them them direct entry into tertiary education. Zambia's tertiary education is comprised of the universities, teacher training colleges and technical and vocational institutions. The University of Zambia offers degree courses in the Arts, Engineering, Mining, Medicine, Veterinary Medicine, and other natural sciences.

41. During the 1970's enrollment in primary, secondary, and technical education increased by 44, 75, and 46 per cent respectively. Enrollment in teacher training colleges rose by 105 per cent and in the university of Zambia by 176 per cent. In 1990 Zambia had 3587 primary schools, 498 secondary schools, 14 teacher training colleges, 14 technical and vocational institutions and 2 universities.

42. Prior to independence there were fewer educational and training facilities for females than for males at all levels of the educational system. The colonial government was inclined towards educating males and most of the jobs were restricted to mostly men. Due to this situation, education was viewed to be of little value to girls.

43. Historically education and literacy, had not been provided on equal basis between women and men. Present figures show that two-thirds of the adult illiterate population in Zambia are women and the majority of these are in the rural areas.

44. The Zambian government as a matter of deliberate policy, decided to correct this situation and allow equal opportunity to girls and boys in the field of education to an extent where the *'cut-off point'* for girls to qualify to secondary level of education was made lower

than for boys. In addition, the tendance by girls to restrict themselves to the so called feminine or domestic subjects and careers was recognized by the Women's League as a bottleneck to women's participation and contribution to the socio economic development of the nation. Girls therefore, have been encouraged to take up science and technical subjects at technical institutions and to that end all courses offered by the country's Department of Technical Education and Vocational training are open to both girls and boys.

Article 11

Deals with the right of women to work, to employment and to social security without discrimination.

45. Although everyone in Zambia has a right to work and a right to the same salary regardless of sex, employment opportunities for women are very limited in both the rural and urban areas. The growth in formal sector wage employment has not kept pace with the rapid growth of the labour force. Women have a small share of the foremost jobs only 7 per cent, they predominate in the informal sector which is often not counted in economic statistics.

Article 12

Refers to women's equal right to health, maternal and child care.

Health

46. Zambia's health sector expanded at a very rapid rate just after independence. The target was to improve the provision of health services and narrow the rural and urban differentials. There was no gender based discrimination against or for women on the provision of health in Zambia. The pattern in the efforts to improve the health sector can be divided into two time periods. In the period 1964 to 1980 there was improvement in the provision of health services which coincided with an economic upturn in the country.

47. The health status of both men and women improved, mortality rates declined, life expectancy at birth increased and the welfare of the people generally improved. In fact women have a long life expectancy at birth than men. Table 5 shows the health situation of Zambia since 1969.

TABLE 5

Life expectancy at birth	1969-74	1974-79	1979-84	1985-90
Females Males Both sexes	45.0 41.8 43.4	47.5 44.3 45.9	50.8 46.7 48.3	55.0 53.0 54.0
	1969	1980	1990	
Infant mortality	141	97	90	
	1969	1979-84	1985-90	
Crude birth rate Crude death rate	47.7 19.7	48.0 17.0	49.7 13.2	

Source: Selected socio economic indicators, 1992 (CSO, Lusaka)

Women participation in the health sector

48. From the time of independence, women in Zambia have continued to participate in the health sector both as beneficiaries and as providers of health care. The nursing profession is the largest section in the health sector where women have predominantly participated. Women constitute about 90 per cent of the entire nursing profession. Since 1970 women have made tremendous progress in health care provision. In 1970 the country had 28 nurses and this figure rose to over 7000 by 1984. Table 6 illustrates the trend in nursing manpower development for the period 1970 and 1984.

TABLE 6

	1970	1975	1980	1984
Registered and enrolled nurses	28	2230	5025	7523
Registered and enrolled midwives	-	808	1917	3098
Operating theatre nurse	-	-	67	147
Zambia enrolled (Psych) nurses	-	40	129	245
Public health nurses	-	-	36	77
Nurses educators	-	-	35	90
B.Sc nursing graduates	28	3078	7210	11205
TOTAL	28	3078	7210	11205

49. Mother and Child Health (MCH) receive a lot of attention from authorities and numerous facilities have been set up to achieve the desired goals on MCH. The Ministry of Health has several programmes all over the country for primary health care, maternal and child health care, immunization of children against infectious diseases, oral rehydration campaigns to control diarrhoea etc.

Article 13

Speaks of the elimination of discrimination against women in other areas of economic and social life.

50. There's no deliberate policy to discriminate against women in social and economic life, but however, inherent and historical factors mean that women are disadvantaged. Their effort to compete with their male counterparts is hindered by limited employment opportunities for women in the formal sector. Thus the way out for most of the women is to engage in the informal sector. Several measures have been put in place to try and reverse these negative factors that impede the full participation of women in the economic and social areas of Zambia. Among measures being undertaken are the following:

- Women have been encouraged to carry out small scale industries so that they will be able to hold money and become economically independent with the assistance of Government establishment institutions to provide funding.

- To improve social life there are deliberate policies aimed at raising the standard of living of both rural and urban women. There are now 945 health centres of which 703 are run by the government and there services are almost free.

Article 14

This article acknowledges the social problem faced by rural women and the significant roles they play in the economic survival of their families and communities, including their work in the non-monetized sectors of the economy.

51. The social benefits that exists in rural areas are open to both men and women on an equal basis. There are a lot of programmes aimed at improving the status of rural women. The most popular are women clubs Cooperative Clubs. Women's clubs contribute greatly to women's opportunities to participate in various activities in their societies. These clubs provide leadership training to members, facilitate income generating projects and encourage self-development on a self-help basis.

52. Despite these programmes there are very significant differences between the urban and rural women. Only 50 per cent of children in rural areas receive all vaccinations compared to 70 per cent of urban children. Family planning services in the rural areas are not as developed as in the urban areas. The percentage of women using modern contraceptive is only 3 in rural areas compared to 15 in urban areas. Of all births five years prior to 1992, 76 per cent of mothers in the rural areas received tetanus toxoid injection and about 80 per cent received antenatal care from either doctors, nurses or midwives. About 90 per cent of urban mothers within the same period received tetanus toxoid injections and over 90 per cent received antenatal care.[1]

53. Women can and do hold title to land and the majority of women in rural areas are engaged in subsistence and small-scale agriculture.

54. According to current estimates women contribute 50 and 80 per cent of their labour input to cash and food crop production respectively.

55. Off all women with no education 80 per cent live in rural areas while only 20 per cent are in urban areas. Over 80 per cent of women with secondary and higher education live in urban areas while 20 per cents live in rural areas.

Article 15

Commits states to take all appropriate measures to accord women equality with men under the law

56. While the will by the government to eradicate discriminatory law is very strong, the pace at which they are being amended has been slowed down by shortage of manpower in the Ministry of Legal Affairs. However, the Women Affairs Sub-Committee referred to earlier on acts as the watchdog on the implementation of amendment of all piece of legislation with discriminatory practices in the country through regular reminders to the relevant institutions. In the required periodic reports to follow, information will be provided on measures taken by the State to fully implement the principle of the Convention, especially on the participation of women at all levels of activity of the nation.

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1 Source: Zambia Demographic and Health Survey, Preliminary Report (July 1992).

Elimination of All Forms of Discrimination against women

57. The Zambian government has taken positive action to identify and compile a list of statutes containing some discriminatory provisions and legislative and administrative measures were being taken to correct the situation.

(i) Administratively, the following measures have been taken by the Zambian Government relating to female officers:-

(a) Conditions of services in the Public Service affecting female officers have been reviewed. The reviewed areas relate to receipt of travel benefits when married female officers travel on vacation leave on their own. Hitherto, they would only be covered by the husband's employer when he goes on leave himself. In addition, payment of housing allowances has been extended to women. In the same vein, burial benefits are given to these officers whenever they lose a spouse or one of their children. In the past, only married male officers were eligible to such benefits and this constitutes discriminatory practice;

(b) In terms of education, a system of *'cut off point'* has been introduced and made the passing marks lower for girls than boys during their Grade 7 examination to qualify for places in Grade 8. On enrollment into Grade 1, there is also a deliberate increase in the admission of girls to achieve equality in education, since the government has realized that girls had lagged behind in education in ht past

(ii) Legislative measures taken include:

(a) The amendment of the Civil Service Pension Act: (Cap 410) to provide the pensionable age of both male and female officers is pegged at 55 years. Hitherto it was 50 for women and 55 for men;

(b) Through Income Tax Act Amendment No 14 of 1987, married women are eligible to claim their own rights on insurance;

(c) Article 8 of the Zambia Constitution has been replaced so that both men and women may apply for citizenship after 10 years period of continuous marriage;

(d) The enactment of Acts No.5 and 6 of 1989. The 'Wills Administration of Estate' and the 'Interstates Succession' Acts has addressed to issue of inheritance on the death of the owner. The uniform interstate succession law that will be applicable through the country makes adequate financial and other provisions for the surviving spouse, children and dependents etc. The Second Act has simplified Law governing the making of wills and provides for the administration of the estate of persons who die leaving a valid with Both Acts take into account the plight of women.

Article 16

Seeks to eliminate discrimination of women within marriage and the family.

58. Cap 211 of the laws of Zambia and customary law governs and regulates marriage in Zambia. Under customary law a girl or boy can marry as long as he or she has attained marriageable age. Under cap 211 girls of 16 years or under lack capacity to marry unless they

obtain consent from parents or guardians though boys of the same age do not need to seek parental or guardian consent.

59. Polygamy exists in Zambia but the proportion of polygamous marriages is very low. In certain tribes it is obligatory to pay bride price but the existence of dowry payment is negligible if not none. Due to strong traditional norms and values many women rarely participate in final decision making regarding the number of children to have. Until recently women were not allowed access to family planning services without the consent of their partners.

Conclusion

60. It is clear from the foregoing that constitutional statutes do not discriminate against women in Zambia. A common phenomena is that women in Zambia have not benefitted as much as men from the services and opportunities that society presents. This has largely come about because constitutional statutes are not viewed within the existing cultural and social context.

61. Despite all the effort put into advancing the women's cause, women still have less access to education, wage employment, credit and land. This low socio economic position of women does not only arise from custom and tradition, but it is also reinforced by discrimination in law and administrating practice. This kind of discriminatory practice has even characterized development programmes.

62. These negative effects of development programmes on women have arisen despite fairly explicit policy objectives that development should benefit both sexes. In order for women to realise full benefits from society a lot needs to be done. Society must be further educated on the importance of women's full participation in the process of national development.

63. Currently a number of studies have been done and other are still underway. All these studies are aimed at making available reliable and accurate statistics on the position of women in Zambia. So far there have been a lot of women Associations which have come up strongly in pursuit of a fare representation of women in all sectors of the economy. However a few obstacles still stand in the way of achieving the advancement of women's cause.

64. Structural adjustment policies (SAP) have definitely had a hard bearing on women's life in Zambia. Even if there was no deliberate intention that effects of structural adjustment should fall heavily on women, pre-existing structural inequalities meant that women and others with less access to resources like education, employment credit and technology came to suffer more from the effects of SAP. It still remains to all the people who would like to see a fair representation of women in all spheres of the country to strengthen the rights of women and to translate them into practice.